IN THE HIGH COURT OF JUDICATURE OF
ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MRS. JUSTICE T.MEENA KUMARI

WRIT PETITION NO. 33117 OF 1997

Dated : October 3, 2007

Between:

Vaddineni Saibaba

Petitioner

AND

The District Collector,
Nellore District, Nellore and others

Respondents

THE HON'BLE MRS. JUSTICE T.MEENA KUMARI

WRIT PETITION NO. 33117 OF 1997

ORAL ORDER:

This writ petition seeks to assail the initiation of enquiry at the instance of third respondent on the ground that he was not paid certain amounts due and that he belong to scheduled caste, as illegal, arbitrary and without jurisdiction under any of the statutes.

The petitioners are working as Executive Officers in

Endowments Department and had put in long services without any blemish. While so, the third respondent is said to have made representation to the 1st respondent on 10.03.1994 with false imputations against the petitioners that certain emoluments to which he is entitled to, were paid. It is also stated that the first respondent directed the second respondent to conduct an enquiry into the matter and the second respondent, in turn, called upon the petitioners to attend enquiry on 9.5.1994 and the matter underwent thirty three adjournments and the petitioners are put to harassment. Consequently, they filed an application dated 19.12.1996 stating that the 2nd respondent is not completing the enquiry and they are unable to look after the work of 22 temples situated in 22 villages, due to the pendency of the enquiry. It is also stated that the respondents are not competent to enquire into the alleged harassment of the third respondent under the provisions of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Evidently, the grievance of the petitioners is against conducting an enquiry on the complaint, dated 10.3.1994, said to have been made by the third respondent. It is also their case that the third respondent is bent upon to harass the petitioners.

A bare perusal of the affidavit shows that the first

respondent directed the 2nd respondent to enquire into the matter and the 2nd respondent has called upon the petitioners to attend the enquiry. In view of the fact that the enquiry has been contemplated by an authority, vested with such a power, it cannot be said that the petitioners are being harassed at the instance of the third respondent or else the enquiry itself was mala fide at the instance of 3rd respondent. Consequently, I do not see any justifiable ground to entertain the writ petition.

Consequently, the writ petition fails and is accordingly dismissed. No order as to costs.

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Mrs. Justice T.Meena Kumari

October 3, 2007
MAS